

State of California, State Water Resources Control Board

Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: <http://waterrights.ca.gov>

S001598

2005, 2006, 2007

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:

PATRICK HEMINGWAY; JILL HEMINGWAY

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2008

Primary Contact:

PATRICK HEMINGWAY
5200 WILD HORSE VALLEY RD
NAPA, CA 94558

Agent:

Address:

Phone No. 707-253-9234

Phone No.

Fax No.

Fax No.

E-mail Address:

pat e stevens hemingway.com

Source Name: MURPHY CREEK

Tributary To:

County: Napa

Diversion within: SE 1/4 of NE 1/4 Section 7, T 5 N, R 3 W, MDB&M

Year of First Use: 1945

Name of Diversion works:

Assessor Parcel Number of the Diversion site:

2008 JUN 12 AM 11:38
DIV OF WATER RIGHTS
SACRAMENTO
STATE WATER RESOURCES
CONTROL BOARD

A. **Water is Used Under:** Riparian claim ☒ Pre-1914 claim ☐ Court Decree No.: Other (explain):

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrms))

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:
Gallons per minute (gpm) Gallons per day (gpd) ☒ Cubic feet per second (cfs)

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2005	150	150	157	160	183	240	240	250	250	240	150	150	185
2006	↓	↓	↓	↓	↓	↓	↓	↓	↓	↓	↓	↓	↓
2007	↓	↓	↓	↓	↓	↓	↓	↓	↓	↓	↓	↓	↓

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:
Gallons ☒ Million Gallons (MG) ☐ Acre-feet (AF)

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2005	4500	4500	4100	4800	5500	6000	6000	7500	7500	6000	4500	4500	66000
2006	↓	↓	↓	↓	↓	↓	↓	↓	↓	↓	↓	↓	↓
2007	↓	↓	↓	↓	↓	↓	↓	↓	↓	↓	↓	↓	↓

E. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 1.5 acres; Stockwatering 3 HORSES; Domestic 3 PEOPLE;
Other (specify)

Parcel Number(s) of Place of Use: 052-450-015-000

F. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.) NO CHANGES

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☒ NO ☐
Describe any water conservation efforts you have initiated:

NO IRRIGATION
IM WAITING FOR WATER, REDUCED LAWN AREA

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

N/A

Reduction in Diversions:

Year (AF/MG) Year (AF/MG) Year (AF/MG)

Reduction in consumptive use:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO ☒
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used: **N/A**

Amount of reduced diversion:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____

3. Conjunctive use of surface water and groundwater **N/A**

- a. Are you now using groundwater in lieu of surface water? YES _____ NO _____
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)
I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: **MAY 20**, 20 **08** at **NAPA**, California

SIGNATURE: **Patrick Hemmings**

PRINTED NAME: **PATRICK** **B.** **HEMMINGS**
(first name) (middle initial) (last name)

COMPANY NAME: _____

ITEM _____ If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.
CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



S001598%SS%2004

2002, 2003, 2004

2005 MAR -7 PM 1:22

DIV. OF WATER RIGHTS
SACRAMENTO

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by JULY 1, 2005.

If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: PATRICK HEMINGWAY; JILL HEMINGWAY;

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

PATRICK HEMINGWAY
5200 WILD HORSE VALLEY RD
NAPA, CA 94558

STATEMENT NO.: S001598
CONTACT PHONE NO.: (707)253-9234

Source Name: MURPHY CREEK

Tributary To: TULUCAY CREEK

County: Napa

Diversion Within: SE1/4 of NE1/4 Section 07, T05N, R03W, MB&M

Year of First Use: 1945

Parcel Number:

A. **Water is Used Under:** Riparian claim ☒ Pre-1914 right ☐ Other (explain): ☐

B. **Year of First Use:** (Please provide if missing above)

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons <input checked="" type="checkbox"/>				Million Gallons (MG)			Acre-feet (AF)			Other			Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
2002	1500	1500	1700	1800	2500	2500	3500	4000	3800	3000	2200	2000	31000
2003	1500	1500	1700	1800	2500	2500	3500	4000	3800	3000	2200	2000	31000
2004	1500	1500	1700	1800	2500	2500	3500	4000	3800	3000	2200	2000	31000

D. **Purpose of Use** - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 1 acres; Stockwatering 3 HORSES; Domestic 3 PEOPLE;

Other (specify)

E. **Changes in Method of Diversion** - Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

NO CHANGES

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☒ NO ☐

Describe any water conservation efforts you have initiated: DRIP IRRIGATION

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year (AF/MG) Year (AF/MG) Year (AF/MG)

Reduction in consumptive use:

Year (AF/MG) Year (AF/MG) Year (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES ☐ NO ☐

PAW
5-11-05

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ____ NO ☒
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES ____ NO ____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES ____ NO ☒
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES ____ NO ____

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: MARCH 14 2005 at 5200 WILDHORSE VALLEY RD. NAPA California

SIGNATURE: Patrick Henry

PRINTED NAME: PATRICK PH HEMINGWAY
(first name) (middle initial) (last name)

COMPANY NAME: _____

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



S001598%S%2003

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by August 1, 2004.

2004 MAY 28 AM 10:26

*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: ~~PETER V TRAVESY~~

PATRICK and JILL HEMINGWAY

DIV. OF WATER RIGHTS
SACRAMENTO

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

PETER V TRAVESY PATRICK and JILL HEMINGWAY
5200 WILD HORSE VALLEY RD
NAPA, CA 94558

STATEMENT NO.: S001598
CONTACT PHONE NO.: (707) 224-2598

253-9234

Source Name: MURPHY CREEK

Tributary To: TULUCAY CREEK

County: Napa

Diversion Within: SE1/4 of NE1/4 Section 07, T05N, R03W, MB&M

Year of First Use: 1945

Parcel Number:

A. Water is used under: Riparian claim ☒ Pre 1914 right ☐ Other (explain): ☐

B. Year of first use (Please provide if missing above)

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

Amounts below are:													Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
2001	1500	1500	1700	1800	2500	3500	3500	4000	3800	3000	2200	2000	29000
2002	1500	1500	1700	1800	2500	3500	3500	4000	3800	3000	2200	2000	29000
2003	1500	1500	1700	1800	2800	3500	3500	4000	3800	3000	2200	2000	29000

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 1 acres; Stockwatering 3 horses; Domestic 4 people

Other (specify)

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

No changes

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☒ NO ☐

Describe any water conservation efforts you have initiated:

Partial pump irrigation

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 10.11 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr (af/mg) yr (af/mg) yr (af/mg)

Reductions in consumptive use:

yr (af/mg) yr (af/mg) yr (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES ☐ NO ☐

AUG 3 2004

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO ☒
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
I have data to support the above surface water use reductions due to wastewater reclamation. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO ☒
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
I have data to support the above surface water use reductions due to conjunctive use efforts. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: MAY 25, 2004 at 5200 WINDHORSE VALLEY RD, NAPA, California

SIGNATURE: Patrick Henry

PRINTED NAME: PATRICK B. HEMINGWAY
(first name) (middle init.) (last name)

COMPANY NAME: _____

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA 95814
(916) 322-4503

STATE WATER RESOURCES
BOARD
(916) 524-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1991 FEB -1 PM 1:42

DIVERTER OF RECORD:

DIV. OF WATER RIGHTS
SACRAMENTO

STATEMENT NO: 001598

PETER V TRAVESY
5200 WILD HORSE VALLEY ROAD
NAPA, CA 94558

TELEPHONE NUMBER:
(707) 224-2598

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: MURPHY CREEK

TRIBUTARY TO: TULUCAY CREEK

COUNTY: NAPA

DIVERSION

WITHIN: SE1/4 OF NE1/4 SECTION 07, T05N, R03W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.
- Amounts ☒ Gallons
below are: ☐ Acre-feet
☐ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1988	6000	5000	9000	10,000	9000	10,000	6000	6000	6000	6000	5000	8000	85,000
1989	5000	7000	5000	8000	7000	9000	9000	7000	5000	6000	5000	6000	79,000
1990	6000	6000	6000	6000	6000	6000	6000	6000	6000	6000	6000	6000	72,000

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 3.99 Acres Lawn Veg Garden - Shrubs.

Stockwatering Horse

Domestic House Hold Also Two Adults.

Other (specify)

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

Used - 1 H.P. Jet Pump. Approx 600 Gal Per Hour

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

No

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: Jan 25, 1991, at Napa Calif, California

P. V. TRAVES

5200 Wild Horse Valley Rd.
Napa, California 94558

Signature: P. V. Traves

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

S 1598

- A. Name of person diverting water Peter V. Traves
Address 5200 Coombsville Road Napa, California 94558
B. Name of body of water at point of diversion Murphy Creek
Tributary to Tulocay Creek
C. Place of diversion NW 1/4 NE 1/4 Section 8, Township 5 N, Range 3 N, MD BEAM
Napa County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmark

D. Name of works

- E. Capacity of diversion works Fairbanks Horse Pump 1000 Gal. Per hour
Capacity of storage reservoir 1000
State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1966	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	200,000 Gal

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc. average 3 persons
share 3 1/2 acres

Maximum annual water use in recent years 200,000 Est.
Minimum annual water use in recent years 170,000 Est.
Type of diversion facility: gravity _____, pump ☒
Method of measurement: weir _____, flume _____, electric power meter _____, water meter _____, estimate ☒

F. Purpose of use (what water is being used for) House hold and livestock use

G. General description or location of place of use (use sketch of section grid on reverse side if you desire) about 3 1/2 miles East of Napa

H. Year of first use as nearly as known 1945

I. Name of person filing statement Peter V. Traves
Position _____ Organization _____
Address 5200 Coombsville Road Napa, California 94558

I certify that the foregoing statement is true and correct to the best of my knowledge and belief.

Date signed June 27, 1967

Signature Peter V. Traves

See Instructions on Reverse Side